

Application No. 09/729,888
Amendment Dated June 28, 2004
Reply to Office Action of June 15, 2004

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

- 1 - 8. Previously cancelled.
9. Cancelled.
10. (Previously amended) A pre-surgical altering device according to Claim 19, wherein said attachment means comprises an adhesive.
11. (Previously amended) A pre-surgical alerting device according to Claim 19, where said strip is perforated to allow oxygen to diffuse to skin which the strip is attached.
12. (Previously amended) A pre-surgical alerting device according to Claim 19, wherein said visually perceivable indicator comprises the words "No Cut."
13. (Previously amended) A pre-surgical alerting device according to Claim 10, further comprising peelable backing affixed to said inferior side to cover said adhesive when said device is not in use.
14. (Previously amended) A pre-surgical alerting device according to Claim 19, further comprising a companion label suitable for detaching from said strip and for attaching to a patient's medical chart to indicate use of the alerting device.
15. - 18. Previously cancelled.
19. (Currently Amended) A method for providing a pre-surgical warning for use on a body having an intended surgical site ~~involved body segment~~ to be operated upon during ~~involved in a~~

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surgical procedure and a plurality of sites which are not intended surgical sites ~~uninvolved body segments which are not to be involved~~ in said surgical procedure, comprising the steps of:

- a. selecting a site which is not an intended surgical site ~~uninvolved body segment~~ from said plurality of sites which are not intended surgical sites ~~uninvolved body segments~~ to provide a selected site which is not an intended surgical site ~~uninvolved body segment~~,
- b. placing a label on said selected site which is not an intended surgical site ~~uninvolved body segment~~ to provide a labeled selected site which is not an intended surgical site ~~uninvolved body segment~~, said label having a superior side and an inferior side,
- c. providing a visually perceivable indicator on said superior side of said label to warn against surgery on said labeled selected site which is not an intended surgical site ~~uninvolved body segment~~, and
- d. attaching said inferior side in the vicinity of said labeled selected site which is not an intended surgical site ~~uninvolved body segment~~ to warn against surgery on said labeled selected site which is not an intended surgical site ~~uninvolved body segment~~ in a manner wherein said label is removable after said surgical procedure.

20. Cancel.